

**UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

<b>Trans-Elect, Inc.</b>	)	<b>Docket Nos. EC02 -23-000</b>
<b>Michigan Transco Holdings, LP</b>	)	<b>and ER02 -320-000</b>
<b>Consumers Energy Company</b>	)	
<b>Michigan Electric Transmission Company</b>	)	

**MOTION OF MICHIGAN PUBLIC SERVICE COMMISSION  
FOR LATE INTERVENTION**

Pursuant to Rule 214 of the Commission's Rules of Practice and Procedure, the Michigan Public Service Commission ("MPSC") hereby submits its motion for late intervention in the captioned proceedings. In support of such motion, MPSC states the following:

1. Service of all pleadings, documents, and communications in this matter shall be made at the following address:

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2. The Michigan Public Service Commission (“MPSC”) is an agency of the State of Michigan, created by 1939 P.A. 3, Mich. Compiled Laws 460.1 *et seq.*; Mich. Stat. Ann. 22.13(A) *et seq.*, as the Michigan regulatory agency having jurisdiction and authority to control and regulate rates, charges, and conditions of service for the retail sale of electricity in the State. The MPSC intervenes in this matter pursuant to the authority conferred by applicable state statutes, rules, and procedures.

3. MPSC is vitally interested in matters involving the provision of electrical service to its citizens located within its borders and the rates to be charged Michigan utilities and their customers. MPSC thus has a direct interest in this proceeding that cannot be adequately represented by any other party. Therefore, MPSC’s participation and intervention is in the public interest.

4. MPSC did not intervene in this case initially because it had not determined that the filing raised issues of concern.

5. It was not until MPSC had an opportunity to review the Commission’s February 13, 2002 Order that it became aware of an issue of concern. Specifically, MPSC is concerned that the February 13 Order could be interpreted as authorizing the recovery by Michigan Transco LLP of taxes which it does not incur or otherwise pay to Consumers Energy. The background and details of such concern are set forth in a separate motion for clarification and alternative petition for rehearing simultaneously filed by MPSC with this motion.

Based on the foregoing, MPSC respectfully submits that good cause has been demonstrated in support of the Commission’s approval for this instant motion.

Respectfully submitted,

**MICHIGAN PUBLIC SERVICE COMMISSION**

By their counsel:

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Dated: March 15, 2002

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the foregoing document by first class  
mail upon each party on the official service list compiled by the Secretary in this proceeding.

Dated at Washington, D.C., this 15<sup>th</sup> day of March, 2002.

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David D' Alessandro